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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 09/912,122
Applicant : MAKOWER, Joshua
Filed : July 24, 2001
TC/A.U. : 3738
Examiner : ISABELLA, David J.

Confirmation No.: 4515

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner of Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on February 12, 2007.

By: 

Name:

Nancy McElrath

Docket No. : P2004 DIV I
Customer No. : 28390
Title : CATHETER AND RELATED DEVICES FOR FORMING
PASSAGEWAYS BETWEEN BLOOD VESSELS OR OTHER
ANATOMICAL STRUCTURES

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SECOND NOTICE OF APPEAL

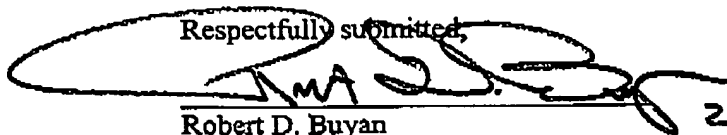
Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the Examiner.

A Notice of Appeal was previously filed in relation to this application along with the required fee. After Applicant's appeal brief was filed, the Examiner voluntarily withdrew the finality of the prior office action and issued a new final office action. In view of this, no further fee is seen to be due in connection with this reinstatement of the appeal. MPEP §1204.01 However, if any fee is properly deemed to be due in connection with the filing of this Second Notice of Appeal, the Commissioner is authorized to deduct such fee and any other fees due from Deposit Account No. 50-0878.

Expedited Processing
Application No. 09/912,122
Amd. Dated:
Reply to Final Office Action mailed October 11, 2006

If the Examiner feels that a telephone conference would could potentially eliminate the need for this appeal, the Examiner is invited to contact Applicant's counsel by telephone at (949) 450-1750.

Respectfully submitted,

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Attorney for Applicant 2/12/07

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